

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

207

**CWP No.20620 of 2014 (O&M)
Date of Decision: 12.10.2018**

Parkash Kaur

....Petitioner.

Versus

State of Punjab and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Tajinder Pal Singh Makkar, Advocate for the petitioner.

Mr. Balbir Singh Sewak, Additional Advocate General, Punjab
for the respondents.

Shekher Dhawan, J.

The grievance of the petitioner is that she had applied for the post of S.S. Mistress, which was advertised in the year 1992. Some candidates were appointed and joined in the year 1994. The petitioner was left out and she had filed Civil Writ Petition No.6938 of 2000 in this Court which was decided on 31.05.2000 and on the basis of that the petitioner on 07.08.2000. Thereafter, the petitioner had not challenged the action of the respondents-State at any stage except for filing of the writ petition in the present case in the year 2014 i.e. after a delay of 14 years.

Learned State counsel pointed out that the present writ petition is not maintainable on the ground of delay and laches.

The petitioner has failed to give any valid explanation and there is no justified ground for condonation of such inordinate delay of 14 years in approaching this Court. The Hon'ble Apex Court in **State of Jammu & Kashmir vs. R.K. Zalpuri and Ors., (2015) 15 SCC 602** has held as under:-

“In the case at hand, the employee was dismissed from service in the year 1999 but he chose not to avail any departmental remedy. He woke up from his slumber to knock at the doors of the High Court after a lapse of five years. The staleness of the claim remained stale and it could not have been allowed to rise like a phoenix by the writ court.”

In view of the above, the present writ petition is dismissed on account of delay and latches.

(SHEKHER DHAWAN)
JUDGE

12.10.2018
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No